

[00:00:18.750] - VO

On the Engender, Scotland's feminist policy podcast.

[00:00:28.430] - Alys Mumford

Hello, and welcome to On the Engender, Scotland's feminist policy podcast. I'm Alys Mumford, and I am flying solo today without my regular co-host, Amanda Aitken. But never fear, we have three amazing guests to join, so you won't just have to listen to me talk about Bake Off the whole time. We have Jill Wood, Engender's Policy Manager. Hi, Jill.

[00:00:48.230] - Jill Wood

Hello.

[00:00:48.850] - Alys Mumford

We have Kirsty McNeill, the Policy and Research Officer at CRER, which is the Coalition for Racial Equality and Rights. Hi, Kirsty.

[00:00:55.740] - Kirsty McNeill

Hello.

[00:00:56.400] - Alys Mumford

And we have Lindsey Millen, the Policy and Development Manager at Close The Gap. Hi, Lindsey.

[00:01:00.560] - Lindsey Millen

Hi.

[00:01:01.050] - Alys Mumford

So as ever, let's start with some nice things, some good news. What's making us smile this week? Who wants to go first?

[00:01:09.350] - Lindsey Millen

I went for a walk at lunchtime and I got a sandwich from my local Portuguese café, which was possibly the best sandwich I've ever had in my life.

[00:01:18.360] - Alys Mumford

Wow.

[00:01:18.870] - Lindsey Millen

And I'm still like, yeah, that was brilliant.

[00:01:21.900] - Alys Mumford

What did it have in it? And have you told them?

[00:01:25.250] - Lindsey Millen

I'm going to go back and tell them, because the guy who owns it Arturo, is brilliant and just will talk at you for the entire time you're in the café waiting for your sandwich, which takes about 40 minutes by the time he's finished. But it's called The Arturo, and it has serrano ham, mozzarella, basil and some amazing tomato concoction.

[00:01:48.710] - Alys Mumford

This is obviously a podcast so our listeners can't see, but Lindsay's face is the widest smile. It's just true love written all over.

[00:01:58.660] - Lindsey Millen

It's the little things.

[00:02:00.290] - Alys Mumford

It's beautiful. Excellent sandwiches, always a good thing. Jill, do you want to come in with something

good? Can you beat The Arturo?

[00:02:07.790] - Jill Wood

Not really, no. I'm not really sure if this really works on a podcast, but after quite a long time of saying I'm going to do yoga every day, for being stiff and homeworking and all that, I've managed to start doing yoga. And my 18 month old daughter started trying to do it along with me in the mornings, which is kind of like, I think five years of parenting possibly peak cute. Like she basically stands there kind of heavy breathing and I'm putting her disproportionately short arms, like above her head and then just leans forward vaguely and leans on things.

[00:02:47.370] - Alys Mumford
Adorable.

[00:02:47.960] - Lindsey Millen
That sounds very much like how I do yoga.

[00:02:50.630]
[Laughter].

[00:02:52.070] - Jill Wood
I'm obviously like modelling that for her.

[00:02:55.190] - Alys Mumford
For sure.

[00:02:56.060] - Jill Wood
It's the heavy breathing and looking up with a wee look like, is this right?

[00:03:01.910] - Alys Mumford
Aw, so cute. Kirstie, have you got anything positive or good to share?

[00:03:06.420] - Kirsty McNeill
My sister due to have a baby any day soon now, so I'm going to have a new niece or nephew any day soon, which I am very excited about. And maybe in 18 months or so, I'll be having a companion to do yoga with as well.

[00:03:20.140]
[Laughter]

[00:03:21.770] - Alys Mumford
That's very exciting. Mine - my good thing, oh, I feel like yours are all lovely and wholesome. Mine is a good thing tinged with a the bad thing, which my good things always seem to be. But last podcast I talked about, I was getting excited about all the climate activism we were going to be seeing over COP. And so my sort of good thing now is that we saw some awesome climate activism. We know that COP was a failure in many, many ways, but it was really cool seeing different groups, different solidarity actions happening in Glasgow. I had the privilege of stewarding, I was the lead steward for the Indigenous block at the big climate march. And that was pretty incredible seeing people from around the world talking about why this is so important for them. And we just heard yesterday, day before, that Nicola Sturgeon has finally come out against Cambo oil field, which took a while, but is a sign of some progress. So it's good that we might have a chance to save the world for all these lovely babies. [Laughter]

[00:04:26.970] - Lindsey Millen
And cats.

[00:04:27.720] - Alys Mumford
And cats, obviously. Most importantly.

[00:04:30.690] - Alys Mumford

[Record Scratch] Hello, Alys here from the future. I've made Amanda add this bit in to let you know that since we recorded this podcast, the Cambo oilfield project has been paused! Which is great news for the planet, for babies and for cats, and huge congratulations to everyone involved in the Stop Cambo campaign. Back to the podcast! [record scratch]

[00:04:30.690] - Alys Mumford

Cool, so today we are going to be talking about the Public Sector Equality Duty, or PSED, which I'm sure all of our listeners know. Dedicated fans will know that we recorded an episode on PSED last summer, and we focused particularly on domestic abuse and Covid. We'll link to that in the show notes, so you can have a listen to that if you missed it first time round. But you know us, we love PSED, and it's such a vital part of the work for women's equality in Scotland that one episode just isn't enough. So in that previous PSED episode, we learnt that the Public Sector Equality Duty is a gender mainstreaming duty, that it places a requirement on public bodies to eliminate discrimination against women and to advance equality between women and men. And we know that before PSED, we had Gender Equality Duty, lovely GED, which did pretty much the same thing for women's equality. We had the Race Equality Duty, and we had the Disability Equality Duty, and these were all rolled together into PSED. So today we are joined by, and with love in my heart some of the biggest PSED geeks around, to look at PSED in more detail and crucially, how it can be used to advance equality for all women. So Jill, first up, can you summarise for our listeners your views on PSED? How do you feel about it?

[00:05:41.390] - Jill Wood

On paper, PSED is actually a pretty good set of tools, a good set of mainstreaming tools, for equality that could be used for women's equality and across different protected characteristics as well as potentially intersectionally. But unfortunately, it's not being optimised at present. Close The Gap have done quite a bit of work around public bodies' performance of PSED, which is actually shown to be declining over time. And so there's really, really a huge amount that could be done to get more out of it. There's a huge set of issues behind this. Public bodies don't prioritise equality against what they perceive as a competing set of concerns for resources and attention but with the best will in the world, they wouldn't be able to fulfil their legal obligations under PSED at the moment anyway, because the competence, the gender competence, and the capacity across public bodies is poor at the moment. And I think a big reason for that is a complete lack of leadership around the Public Sector Equality Duty, total lack of accountability. And then there's no repercussions whatsoever, if you don't even fulfil your - the bare minimum of the legal obligations that they're required to. So it's really frustrating because there's a lot of good stuff there. And we as equalities organisations have been saying for years on end, the same kind of things. Particularly, and I'm sure this came up in the previous podcast that you recorded, particularly around the Equality Impact Assessment, which is a really potentially strong tool. It's just not being used at all well. So yeah, it's frustrating. And in the spirit of, you know, positivity, there is a reform process, a review process going on at the moment. So there is a real opportunity to make the existing provisions more efficient and also to come up with an expanded set of duties. But that's an ongoing piece of work.

[00:07:42.780] - Alys Mumford

Yeah, we will definitely talk a little bit more about that later. On the sort of frustration Jill, I think we can hear in your voice, but also I really enjoy when I am looking at policy papers that Jill has written for Engender when we get to the EQIA section, even though it's very frustrating to read, Jill doesn't hold much back when she's saying how terrible people's EQIA are. And I might put some snippets of some choice Jill-isms in the show notes, which give you a flavour of just how many times advocates for equality have said the same thing about why everything's awful. So Lindsey, EQIA, the Equality Impact Assessments we're talking there, that's something we in Engender talk a lot about with PSED, and it's probably one of the better known as far as anything to do with PSED is well known, sort of elements of it, but that's not all that's included in PSED, right? What else does the duty require?

[00:08:37.790] - Lindsey Millen

Yeah. There's a bunch of duties in Scotland, they're the Scottish Specific Duties to give them their official title, which sit underneath the headline Public Sector Equality Duty, which applies across the

UK. But we have our own special set. And so these duties include a range of different things. Some of them are kind of on more objective sort of outcome based projectised equality work, and then other things are more closely connected to that mainstreaming equality into everything you do work. So it's kind of a two pronged approach that it's meant to have. So one of the duties is to publish equality outcomes and to report progress. So that's one of the kind of more projectised things you've got to - public bodies have to look at, in theory, what's happening in their organisation, what's happening in the world for different protected groups and identify priorities and set equality outcomes, which set out the change that they're going to achieve for protected groups and then report progress on that.

[00:09:38.870] - Lindsey Millen

The other big thing is to report on mainstreaming the equality duty. And so that means basically embedding a consideration of equality from the outset of all policy development. And Equality Impact Assessment is the tool for doing that. So that's arguably one of the most important duties, if not the most important duty. It's the thing that has the most potential for change, because ultimately, that is how public bodies should be operating. It's not about doing something extra, it's about doing what you do differently. So also part of that work or how they do that work should be informed by data. One of the specific duties is for them to gather and to use employee information. And unfortunately, what we see with that is the first thing is done. Not brilliantly. But most public bodies gather employee information. The using part of it is where it gets tricky. And so we see perhaps, it's a bit easier for public bodies to gather data on the workforce on gender or race. But when you get further down the line for protected characteristics like pregnancy and maternity, we see less than a third of them being able to collect even the most basic data on their staff for that particular characteristic. And then just don't even get started on the concept of them being able to look at their data on an intersectional basis.

[00:11:06.310] - Lindsey Millen

So they've also got to publish information on board diversity and succession planning, how they're going to achieve gender balance and proper representation for Black and minority ethnic people on their boards. They've also got to publish the gender pay gap information, which includes information on occupational segregation in their workplace, so where women and men are working, what types of jobs and what levels of jobs. And they've also got to publish statements on equal pay. An important one, is that they've got to consider equality in public procurement. Now, this is a good example of a real practical opportunity for change, particularly around, for example, the procurement of social care work. Procurement could be used to drive up terms and conditions and pay for social care workers. I mean, obviously there's a caveat here. Social care is not adequately funded at a central government level, and we need to see more money for that. But it doesn't mean you can't do anything. Public bodies really could be prioritising. Local authorities should be prioritising gender and equality in their commissioning and procurement work around social care, but they just aren't, or in other procurement.

[00:12:13.950] - Lindsey Millen

And then finally, all of this information is going to be published in a way that's accessible. So yeah, the wording of the duties are a particularly kind of tricky thing. The mainstreaming duty says you've got to report on how you're mainstreaming equality. So basically you've got to publish a mainstream report. But, so the wording is focused on the publishing, rather than the mainstreaming. And so what we see our reports published on theoretically mainstreaming, but they're not really about mainstreaming. And then you've got published gender pay gap information, publishing gender pay gap information doesn't really close your pay gap. So that's a key issue. There's a huge difference between the wording of the duties and the purpose and the spirit of the duties. Public bodies are supposed to publish their employee information, their pay gap information. So if you do that, you've effectively complied with that part of the duties. But unless you've used that to develop action, what's the point? You know, the purpose of these duties is to advance equalities and tackle discrimination and simply publishing some data is just not going to do that. And it's just also like a lot of wasted effort. I think a lot of equality leads and public bodies who really want to be doing more work on this feel really frustrated that they're going to great lengths to try and get data, but then they can't do anything with it because they don't know what to do with it, or they've not got the time or the resource to do it because it's not prioritised at more senior levels. So it's just not a good use of resource to gather a bunch of data if it's

just going to sit there on the shelf, basically.

[00:13:49.050] - Alys Mumford

I think that really speaks. I'm going to bring you in Kirsty on - so you've been working specifically looking at how public bodies in Glasgow have been complying with PSED and producing all these reports. And I think that's one thing that came out really clearly in the report you produced, which we'll link to in the show notes. That, yeah, there are some people working really hard to produce, in many cases, lots of reports for one organisation, but it doesn't really go anywhere. Can you talk a little bit about that project you've been working on in Glasgow?

[00:14:20.450] - Kirsty McNeill

Yeah, sure. So before I speak about the Glasgow report, I should probably mention that CRER has done a lot of work on PSED, and you can find that all on our website. There is a real great amount of information on there for people that are interested. So yeah, recently I was looking at PSED in Glasgow, and we kind of did this to look at themes that were coming up about compliance, just what can be learned about - from the equality publications issued by the public sector bodies. And it's not the first time we've done it. We've actually done it for previous PSED cycles in Glasgow as well. So we can kind of look at change over time as well. And so what people might expect to find is that since the legislation has passed and has had years to kind of bed-in, organisations might be getting better and meeting what they're required to do, and more kind of sophisticated in their understanding of equality issues. But it's not what the research kind of shows. So there's a lot of areas where there's actually been little improvement and even actually in this research, we found there was a kind of decline in some areas, both in terms of quality but also breadth. So some organisations are not even including all of the relevant protected characteristics and also not appearing to really understand the relevant equality issues facing each of these groups. And that's the kind of fundamental and common problem. But I'd also just echo what Lindsey was saying there about the kind of tendency to prioritise this, like producing paperwork over actual change in people's everyday life. Just to finish up on the Glasgow research, though. So obviously we're acknowledging that in this particular reporting cycle that there's been difficult circumstances, kind of caused by Covid and that's not just for achieving change, but also potentially with reporting duties as well. But it's actually during these kind of challenging circumstances that equality issues are ever more important, really, as we have actually seen, during Covid.

[00:16:24.300] - Alys Mumford

And is it the sort of thing, as you say, there's these sort of reporting cycles, do you get the impression, and Lindsey I'm keen to hear from you as well, because I know you work a lot with organisations working on their PSED reporting and things. Is it that - oh my god it's the PSED deadline, we need to scramble around and find all of this stuff, or is it Kirsty as you say that it's sort of like - I mean, Lindsey, I see from her face that's probably not true, but yeah, presumably in theory it's the sort of thing that we collect data the whole time and then we just need to collate it and do our analytics when it's time for reporting. But it seems like maybe that's not how it's working?

[00:17:01.330] - Kirsty McNeill

Yeah. I think there could be better structures in place, especially when you're thinking about things like the employee information and things, you're thinking, I think it's eight years since the legislation was passed. So by now there should be a rigorous way that you're kind of collecting and also as Lindsey said, using that employee data, and it's just not collected for a lot of the protected characteristics. Never mind going on in the more important stage of it.

[00:17:24.900] - Alys Mumford

One of the things that's interesting. And again, we talked about in the last episode that PSED was an attempt to bring different duties together, and it covers all of the protected characteristics. And again the report talks about - and Lindsey spoke there about some of these are done better than others. And the report you worked on Kirstie shows that sort of - sex, race and disability have more reporting happening on them. But it has not solved the problem of people seeing these things in silos, and actually, I was quite interested to see that because there's a huge amount of information that people need to report on in PSED, organisations are now tend to be producing lots of shorter reports on

different elements whether that's on a different duty, or whether that's on a different protected characteristic, so that intersectional policymaking is just not happening. Do you think that is a sort of flaw at the heart of the concept of having a duty that covers all the equalities? Or is it because of the reasons Jill mentioned that PSED currently isn't sort of working, isn't fit for purpose?

[00:18:25.350] - Lindsey Millen

I would argue that it's probably potentially both of the above. You know, I think because of the different inequalities that are faced by the different protected groups, there are particular things that are really important to look at when you're looking at, for example, women or BME people. But then there's obviously really important things where specific experiences of BME women that just might not be captured when you're doing that work. So some of the specific things from the Gender Equality Duty and the Race Equality Duty, for example, have perhaps not translated so well into the specific duties. However, if there was adequate gender competence, race competence, etc. in organisations, which is a big ask. You know, I think I've said often in an ideal world, every single public body would have a team working that had several people that had included competence across all the protected characteristics, and that there would be a way of sort of building that institutional knowledge as well. So when people move on, it's not lost, and organisations are just better place to do the work. But without that competence, without the resource to build that competence, it's just not going to happen. And then also just links back to those things that Jill said, the reason there's not a resource to do that is because of a lack of prioritisation, and that comes down to a lack of leadership because basically, if leadership doesn't prioritise it and they're not held to account on not prioritising it, it's just not going to happen.

[00:19:58.970] - Jill Wood

Yeah, you're saying there that you have said that many times there should be a team of people in each public body. I feel like at this stage that's not even so far-fetched. I mean, it's far from what's happening, but it's not just you kind of saying that at this stage, the First Minister's Advisory Council on Women and Girls, the latest report was on gender architecture. So what you're describing is a well funded, established gender architecture. So we've called for that to be included in the regulations and put on a statutory fitting for some time. But there's increasing recognition that that's what needs to happen across different equalities groups, because at the moment, there's just that fundamental problem with the fact that public bodies don't see equality concerns or equality as the bread and butter of their business. But it's not - it wouldn't be perceived as far-fetched to having a squad of officials working on other issues or other specific policy domains. So why should that be such an outlandish demand?

[00:21:03.050] - Alys Mumford

I guess, Kirsty from looking at - you were looking at 15 organisations in Glasgow, is that right with this particular round? Were there any sort of commonalities you found, other than - you said that the people writing the reports tended to care about it but didn't have maybe the leadership within the organisations or the resourcing to make those changes - but were there any...I guess I'm looking for any quick fixes or anything that was very obvious and looking across the board of like, "if this was done differently, it would be easier for organisations" or "this is the thing that they don't care about at all". Any sort of reflections.?

[00:21:38.700] - Kirsty McNeill

I think even just from the very start, the accessibility of the documents isn't really there in a lot of ways, so they can be very difficult to find when you do find them. Sometimes it's not clear what duties they're meant to be covering. Sometimes the time period is not there and things like that and I also think there's a kind of deep-seated confusion about what information should be in each report. So you kind of see that I think, especially with mainstreaming and quality outcome progress reports, that people are not understanding the kind of differences between these. So if you're talking about equality outcomes, that should be, like, specific targeted work, perhaps also time limited work kind of being done to achieve changing people's lives and people with protective characteristics. But mainstreaming is just the kind of day to day work that you're doing on equality like processes, policies, practises and so on. And when I'm sometimes looking at mainstreaming reports, I'm like "this doesn't look like a mainstream report to me". And I'm like, "am I looking at the wrong document, what

is going on here?" So I think just the basic stuff is sometimes not done very well.

[00:22:48.450] - Alys Mumford

Isn't that something we hear as well? I was thinking when you were talking about employee data and the things that are maybe easier to gather because I think people are concerned about what you're allowed to ask. Often we often hear GDPR is being used as an excuse for not gathering things and just clearly showing a complete lack of understanding of these things. But it also strikes me that we're talking today, with Close the Gap, CRER, third sector organisations who are doing loads of work to sort of support organisations and produce guidance. And as you say you've been working on this for a really long time to support organisations and actually, why is it falling to third set of organisations that have equality as their core to provide that support to organisations? Is that not something that should be happening...Or is it happening, or who else is doing this work to support organisations to understand what data they can collect and what is mainstreaming and what is it not, and those sorts of things?

[00:23:45.490] - Lindsey Millen

I think that again comes down to resource. There should be one of the things that we were thinking about when we were doing some initial thinking around, what should the new duties look like? One of the current duties is the ministerial duty, which is one of the actions that Scottish Government Ministers should be taking to help public bodies comply with the duties. There's so much scope within that duty itself to really do practical things to enable better performance of the duty, and that would be scope there for providing more support around what you can and you can't gather what you can and you can't publish. But I think this GDPR excuse is just part of the kind of bigger picture of not understanding the duties, not being held to account on reporting and kind of sometimes, really disappointingly, just some public bodies is trying to kind of find ways around doing it. I mean, the idea that a set of regulations would ask you to gather data that you're not legally allowed to gather is just preposterous.

[00:24:54.850] - Jill Wood

And it just comes back again to just the sheer inefficiency of all of it. The idea that people are spending time and effort and money producing these reports, which are not much use to anyone, or are trying to get around their obligations. And then there are organisations that are funded by government like then spending time and effort on this where it could just be streamlined, so much better.

[00:25:17.900] - Lindsey Millen

Lindsey, you talk there about working on what the new duty should be, and Jill you previewed the fact that there is an opportunity for sort of engaging with PSED and what it could be, what it should be. Can you talk to us about that? Because I feel like ever since I started at Engenda, which was about six years ago, this PSED review has been on the horizon and that's going to be the thing. So are we there? Is it happening?

[00:25:40.410] - Jill Wood

It's happening.

[00:25:45.410] - Alys Mumford

Woo!

[00:25:45.410] - Jill Wood

Umm...[laughter] Covid also happened, which is, I think maybe delayed things a little bit but also really intensified, like Kirsty said earlier, intensified the need for a PSED that actually works because women's inequality and rights and the rights and equality for people with other protected characteristics have obviously slid backwards over that period of time. We've had a preliminary review engagement process. The Scottish Government also committed to a two-stage review, which is something that a lot of equality organisations, including ourselves, had called for, which was initially a period of analysis and review and evidence gathering to work out what needed to happen before, just going on to consult on a set of draft regulations. So that happened earlier this year, Lindsey? That

they published that report. I think it's fair to say that a lot of equality organisations were disappointed with it in terms of its ambition, which seemed to be tinkering in the margins, as we say in the field, rather than looking at more substantial reform that's needed, and also there's a lot of potential for. And so now we're at a point where we're waiting for Scottish Government to publish the public consultation, and they will use the feedback they get from that, including from public bodies in order to then draft a set of new regulations later next year.

[00:27:21.600] - Lindsey Millen

Actually, I think another concern around that report that Jill was talking about the first stage report that was published as part of the review process was that there's a lot of prominence given to the issues, that kind of 'public body perspective' on the duties, and a lot of that is kind of touching on the things that we've discussed here., you know...there's too many reports, it's really bureaucratic. Without actually digging underneath that and being like, "well why do public bodies think it's too bureaucratic?" And taking it at face value instead of saying, "well, what does that mean? Is it too bureaucratic?" or are we looking at perhaps a more watered-down duty arising because of that view being taken? Because I think the idea that it's too bureaucratic is because public bodies tend to leave things to the last minute here. "It's so difficult to go all these reports together". But if you're focused on the reporting dates, that's not the purpose of the duty. You know, little or nothing is happening in between reporting dates. So it's no surprise that at the last minute you're scrambling to find stuff to send to report. It becomes very difficult to produce a report. If they were actually setting good outcomes and having good measurable action plans and actually doing EIQA and mainstreaming then it's just a case of saying what you've done and how it's going. That shouldn't be difficult. And I think in a lot of cases, the content of PSED reports could be described as 'all filler' or 'word salad'. They're so vague. They say things like "we will consider doing X" and "we will continue to develop Y" and they don't actually say what that means or how they're creating change for women or BME people or anyone else.

[00:29:18.510] - Alys Mumford

As you say, there's nothing really that happens. Even if all they said they're going to do is consider something and then they don't do it or they don't publish the figures and things...Do they even get a slap on the wrist? What happens?

[00:29:33.530] - Lindsey Millen

The EHRC does compliance work and enforcement work with public bodies, but I think that's also a very difficult task because of how loosely worded the duties are and how open to interpretation they are because if someone's published what is, on the face of it, a mainstreaming report, you can't say, "well, you're not meeting the duties" because they published a report. If they publish equality outcomes, they're meeting the duties, even if they're terrible, it's difficult to enforce regulations that are so poorly worded. So yeah, I think that when we've talked - at length over many, many years - about the issues with the duty, it keeps coming back to that issue of accountability, because what gets scrutinised gets prioritised. And if public sector leaders were held to account, if that was part of what their performance was measured on, then you can be sure they would be doing more on it.

[00:30:28.860] - Alys Mumford

And I think again, it goes back to something. As you say, these things always come back to, of the rationale for doing it. You shouldn't be doing it just because there's a duty on you to do it or the reporting deadlines come or you're fearful of repercussions it's, it's the argument that equality is good and makes better policy makes better workplaces, all of these things. And I think that's often where I find the frustration with EQIA specifically is that they're a helpful tool. If you're making policy and you do an EQIA, it helps you make policy better at the start, means you don't need to go and retrofit equality into it or undo a thing you did because you forgot to think about people of colour or whatever it might be within it. So frustration that it could be like a really helpful, sort of, friend to people and organisations to make their work better. And it is just as you say, seen as, "oh God, I've got to do my PSED report", whatever.

[00:31:29.550] - Jill Wood

Again, so inefficient. Like what you just said there Alys, you can't retrofit equality or undo it to suddenly shoehorn people of colour or women after you've done it. It doesn't work like that. That's the

whole point, it informs your decision making, and then you develop a good piece of work that's going to work for everyone or certain groups in a targeted way. So it's just a waste of time to then be like, "oh God, I didn't do an EQIA properly. Now I'm going to have to go back and scramble around and find some stuff". It's just a huge waste of time.

[00:31:59.230] - Jill Wood

Yeah, so I think, you shouldn't be doing something because you're being forced to do it, but if you were, then you might be doing it better. So that is one of our - we're in the process as well of honing our recommendations that we will put into the consultation response as concretely as possible. But there'll definitely be set of things around scrutiny and accountability, and quite a lot of them we think might come under, like Lindsey said, that ministerial duty that's got scope to really strengthen that aspect of things. And we want to see something tightened around data and procurement that Lindsey mentioned as well. And then the gender architecture, I think as well. We've already touched on, but a statutory fittin - it's so critical. I mean, like we said before, how can public bodies be expected to do this stuff, really, if they don't have the gender competence in the capacity, and if you don't have the resource to do that? It's just about tying all these things together.

[00:32:56.760] - Jill Wood

Resource, that question of resource comes up time and time again in public bodies. I think it was even in that report in the first stage of the PSED review - public bodies say "we don't have enough money to do this work". And obviously budgets are increasingly tight in the public sector. But if you're not performing the duties, if you're not using EQIA to design your policies; you're not doing your job as a public body. And policies that are developed without consideration of gender, without consideration of race are bad policies. They're likely to be wasteful and likely concentrating resources and actions in the wrong places. And as such, they're just likely to be poor value for public money. So yeah, there's not a lot of money in the public sector, but maybe if public bodies mainstream equality into their work, it would make much better use of public resources and public services would be better. And then that would be much more efficient. And there would be a bit of a saving in terms of money in the long run. It's a very cynical way of looking at it in terms of "how much money can we save", but you know!

[00:34:00.310] - Alys Mumford

It speaks as well to, I think it was you Kirsty who said at the start of, like, "oh you know, conflicting priorities". And so COVID has been...Like, "no! They're not conflicting". Again, you can't do COVID recovery well, if you're not thinking about equality and you can't do all of these different things in the most effective and efficient and inclusive way. So looking, I'm going to sort of close this up now, but looking at if things improve so if - lots of issues, we've talked about, the fact that Kirsty in this project can't even find the documents because they're putting them in tiny, hidden places on websites and there's no accountability, and it doesn't ask for the right things - if it changes in the way we want it to change, And once we put all the recommendations in and they're all taken, what could PSED mean? How could we use it? What could it mean for the work that public bodies are doing?

[00:34:54.650] - Jill Wood

I think kind of looping back to what Lindsey was just saying about driving up the standard of decision making in the first place. So, yeah, we would just see a much better quality of policymaking coming out of public bodies and Scottish Government, which then has the potential to actually improve the lives of women and girls in Scotland.

[00:35:20.330] - Lindsey Millen

Yeah. I think it could just be absolutely transformative if it's done well. It's so easy to kind of get, to focus, to talk about the challenges - there are so many challenges. But it just has such great potential to do amazing things. The idea of just one public policy that was designed really well around women's lives. It's just so exciting.

[00:35:42.390] - Kirsty McNeill

Yeah. I think that's just a shame how it's kind of turned out, because the equality duties like this should be some of the most potentially powerful tools that we have in driving change in people's lives. And there does really need to be a move from producing paperwork to producing an actual

difference to people's everyday lives. We've kind of said that there's real need for a new or revised state of duties, and we would be hoping that they would be robust, also progressive. But I think mainly enforceable is the bottom line, really. My colleague Carol from CRER has actually produced a blog discussing some of these issues - we could maybe add that to the podcast chat notes. But yeah CRER have just kind of called for the Scottish Government to work with equality stakeholders just to develop this revised set of duties.

[00:36:37.110] - Jill Wood

There is such an opportunity in the reform of PSED, but also it's wider than that the in that Scottish Government have committed to an Equality and Human Rights Mainstreaming Strategy, which is specifically about not just mainstream equality in individual policies, but this idea of an overarching gender coherence and policy coherence across Scottish Government. So there's stuff in there about - if it's done well, then it just does. It's an efficiency across government as well. So all the time and resources the Scottish Government is putting into gender equality in all these different areas can be more joined up. So I think, yeah, there is to end on a positive note, I think there's some cause for hopefulness.

[00:37:19.210] - Alys Mumford

Let's go straight from there into recommendations to continue the positivity. So recommendations - it could be some further reading, listening or watching on PSED, it could be something entirely frivolous. It cannot be bake off because I haven't seen this week's. Who wants to go first?

[00:37:40.170] - Lindsey Millen

Well I mean further reading on PSED is quite tricky. We do have a couple of assessments which were written on the 2013 and 2015 reporting cycles on our website if anyone was interested in that, but if I may be so bold as to suggest something a bit more frivolous,

[00:37:57.690] - Alys Mumford

Please do

[00:37:57.690] - Lindsey Millen

I've been getting through the pandemic by watching The West Wing again, and I would heartily recommend people watch at least two episodes of The West Wing a week and also listen to The West Wing Weekly podcast alongside those episodes. It's one of the most life enriching things, for me at the moment anyway, who doesn't love The West Wing?

[00:38:23.190] - Alys Mumford

Excellent. I still have not finished The West Wing. I thought I had, and then I discovered there was another season and, yeah, it's a bit of a struggle. Well, we had to stop watching while Trump was in office. My partner was like "I just can't..." So, Kirsty, have you got a recommendation for us?

[00:38:43.600] - Kirsty McNeill

Yeah, I just wanted to say as well I really like the idea of listening to a podcast about a TV series at the same time as watching it. That definitely takes enjoyment to the next level. Mine is not so much frivolous at all, but I just wanted to highlight that six years after the death in police custody of Sheku Bayoh, the first preliminary hearing of the public inquiry is now taking place. It was today, but obviously this will be in the future. So it's just to recommend that everyone keeps up to date with that and follows along on the family's long fight for justice.

[00:39:19.590] - Alys Mumford

Absolutely. Yeah, great recommendation. Again, we'll pop some links in the show notes about where folks can find out more about that and see what's going on and keep up to date.

[00:39:29.280] - Kirsty McNeill

Just to highlight that, I think possibly the best place to keep up to date would be Aamer Anwar, the lawyer representing the family's Twitter feed. He's fairly active on Twitter, so he'll be posting a lot about it on there, I imagine.

[00:39:42.890] - Alys Mumford
Fantastic. We will link to that. Jill anything from you this week?

[00:39:46.750] - Jill Wood
I'm going to swing back to frivolity. I was going to recommend a book, but after our pre-podcast chat, I'm going to recommend that Lindsey does in fact develop a TikTok dance routine to PSED, along with some sort of cheerleading element. And if we could get any sort of backing for that through the listenership of this podcast.

[00:40:10.350] - Alys Mumford
Yep.

[00:40:11.240] - Lindsey Millen
I've been meaning to take up a new hobby.

[00:40:13.270] - Alys Mumford
Yeah. There you go. You heard it here first, folks. Yep the PSED dance is going to be the next TikTok craze. Very excited for that. Will the cat be involved? I hope so.

[00:40:26.470] - Lindsey Millen
Obviously.

[00:40:28.070] - Alys Mumford
I was thinking when I was thinking about this episode, like are there other fun acronyms I could pretend that PSED stood for because sometimes we have funny meetings where people think it means like the public sector environmental duty and various things. And I was, there must be some more ridiculous things that PSED could be. So maybe a TikTok could be like every day you do a different wrong PSED acronym.

[00:40:51.540] - Lindsey Millen
Yeah. I mean, we could obviously start with Pretty Sweet Equality Dance.

[00:40:55.670] - Alys Mumford
Indeed, we could. Indeed we could. Excellent. Well, look out for that. My recommendation is going back to the frivolity. Last night I watched Black Widow, which I very much enjoyed because Florence Pugh is really good in it. And I've also, only seen the first episode, but the new Doctor Who series with Jodie Whittaker. So hooray for women doing action things, highly enjoyable. I think that's us. Thanks so much to Jill, Lindsey and Kirsty for talking all things PSED. Do check out the show notes for links to all of the various things we mentioned and stay safe. Thanks for listening.

[00:41:44.110] - VO
On The Engender was hosted by Alice Mumford and produced by myself Amanda Aitken. The music featured throughout was written and performed by Bossy Love. To find out more about the work of the organisations, head to Engender spot and be sure to click subscribe to this podcast so you don't miss the next episode.